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**MAILED**

**MAR 29 2010**

In re Application of  
Vijay K. Naik, et al.  
Application No. 10/654,859  
Filed: September 4, 2003  
Attorney Docket No.

**OFFICE OF PETITIONS**  
**DECISION ON PETITION**

This is a decision on the petition under 37 CFR 1.181, filed January 14, 2010, requesting withdrawal of the Notice of Abandonment mailed December 24, 2009.

The petition is **GRANTED**.

Petitioner requests the Notice of Abandonment mailed December 24, 2009 for failure to respond to the non-final Office action mailed May 6, 2009 be withdrawn as petitioner timely filed a response. As evidenced by the EFS Acknowledgement Receipt and the Fee Worksheet date stamped November 5, 2009 was received by the USPTO.

As the reply authorized the charging of a three (3) month extension of time due the Notice of Abandonment was premature. Accordingly, the holding of abandonment for failure to timely file a reply to the Office action of May 6, 2009, is hereby **withdrawn** and the application is hereby **restored to pending status**.

Telephone inquiries concerning this decision should be directed to April M. Wise at 571-272-1642. All other inquiries concerning the examination or status of this application should be directed to the Technology Center.

This application is being referred to the Technology Center AU 3714 for appropriate action in the normal course of business of the reply received with the petition.

/Carl Friedman/  
Carl Friedman  
Petitions Examiner  
Office of Petitions